

## REGULAR MEETING

June 13, 2005

The Regular Meeting of the Annapolis City Council was held on, June 13, 2005 in the Council Chamber. Mayor Moyer called the meeting to order at 7:30 p.m.

Present on Roll Call: Mayor Moyer, Aldermen Hammond, Tolliver, Kelley, Cordle, Cohen, Alderwomen Hoyle, Carter

Alderman Fox was absent.

Staff Present: City Attorney Spencer

- Alderman Hammond moved to approve the Journal of Proceedings corrected for May 9, 2005 and May 23, 2005. Seconded. CARRIED on voice vote.

### PETITIONS, REPORTS AND COMMUNICATIONS

- Spoke regarding O-7-05

-Robert H, Eades, 32 Pleasant Street, Annapolis, Maryland, representing Neet-N-Klean Taxi Company.

- Spoke in support of R-19-05

-Michael Greentree, 186 Acton Road, Annapolis, Maryland, representing Kunta Kinte Alex Haley Foundation.

- Spoke in support of O-20-05

-Gilbert Renaut, 115 Monticello Avenue, Annapolis, Maryland.

-Ronald George, 364 Oak Drive, Arnold, Maryland.

-Doug Burkhardt, 125 Monticello Avenue, Annapolis, Maryland.

-John Hammond, 141 Monticello Avenue, Annapolis, Maryland.

- Spoke in opposition to O-20-05

-Mark Federici, 4301 Garden City Drive, Landover, Maryland, representing Annapolis City Police Officers - United Food & Commercial Workers, Local 400.

-Bob Burdon, 49 Old Solomons Island Road # 204, Annapolis, Maryland, representing Annapolis & Anne Arundel County Chamber of Commerce.

### LEGISLATIVE ACTION ORDINANCES

- Alderwomen Carter moved to add R-23-05 to the agenda. Seconded. CARRIED on voice vote.

**O-7-05 For the purpose of defining taxicab company; defining a distinctive color scheme or insignia for taxicab companies; requiring that taxicab drivers, and any ride-along guests, wear clearly identifiable standard attire; restricting the number of independent owner/operator permits to 25 per license year; directing taxicab drivers to refrain from receiving or sending phone calls or messages without the use of hand-free technology; and matters generally relating to said taxicab regulations.**

- Alderman Cohen moved to adopt O-7-05 on second reading. Seconded.

The Economic Matters Committee reported favorably on O-7-05.

- Alderwomen Cater moved to amend O-7-05 as follows:

On page 4, delete lines 24, 25 and 26

Seconded. DEFEATED on voice vote.

- Aldermen Tolliver moved to amend 0-7-05 as follows:

On page 3, delete new language in lines 31 and 32

Seconded. DEFEATED on voice vote.

The main motion CARRIED on voice vote.

- Alderman Tolliver moved to postpone 0-7-05 to the next Regular Meeting of the City Council. Seconded.

Without objection, Alderman Tolliver withdrew her motion. Seconded. CARRIED on voice vote.

- Alderman Cohen moved to adopt O-7-05 on third reading. Seconded. CARRIED on voice vote.

**O-20-05 For the purpose of establishing a Homestead Credit Percentage of one hundred four percent (104%) in the City of Annapolis; and matters generally relating to said Homestead Credit Percentage.**

- Alderman Tolliver moved to postpone O-20-05 to the next Regular Meeting of the City Council. Seconded. A ROLL CALL vote was taken:

Yeas: Alderman Hammond, Tolliver, Kelley, Cordle

Nays: Mayor Moyer, Alderwomen Hoyle, Carter, Alderman Cohen

DEFEATED: 4-4

- Alderman Cohen moved to adopt O-20-05 on second reading. Seconded.

The Finance Committee reported unfavorably on O-20-05.

- Alderman Tolliver moved to amend O-20-05 as follows:

Amendment #1 [The Homestead Tax Credit amount for Annapolis was codified in 1990. Thus, the amount needs to be changed in the Code, not by a stand-alone ordinance.]

On page 2, strike lines 12 through 30, and substitute the following:

"BY repealing and enacting, with amendment, Section 6.04.200 of the Code of the City of Annapolis, 2005 Edition

"SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that the Code of the City of Annapolis shall read as follows:

Section 6.04.200 Homestead credit percentage.

There shall be, in the City of Annapolis, a ~~homestead-credit~~ Homestead Tax Credit percentage of one hundred ~~ten~~ four percent effective for the tax year 2006 beginning on July 1, 2005.

SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that this Ordinance shall take effect from the date of its passage."

Seconded. CARRIED on voice vote.

- Aldermen Tolliver moved the technical amendments to correct O-20-05 to change the tax year date to 2007 and to change the beginning on date to July

1, 2006. Seconded. CARRIED on voice vote.

The main motion as amended DEFEATED on voice vote. A ROLL CALL vote was taken on the main motion:

Yeas: Alderman Hammond, Tolliver, Kelley, Cordle  
Nays: Mayor Moyer, Alderwomen Hoyle, Carter, Alderman Cohen

DEFEATED: 4-4

**O-18-05 For the purpose of authorizing the lease of the McNasby's/Bargehouse site to the Annapolis Maritime Museum, Inc., subject to certain terms, provisions, and conditions, for the purpose of locating and operating a museum therein; and matters generally relating to said lease.**

Alderman Cohen moved to adopt O-18-05 on first reading. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee

**O-21-05 For the purpose of realigning the boundaries of certain election wards to reflect annexations since the 2000 Census; and matters generally relating to said realignment of the election wards.**

Alderman Hammond moved to adopt O-21-05 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee.

**O-22-05 For the purpose of expanding Special Residential Parking District No. 5 in West Annapolis; and matters generally relating to said parking district.**

Alderman Hammond moved to adopt O-22-05 on first reading. Seconded. CARRIED on voice vote.

Referred to the Public Safety Committee.

**O-23-05 For the purpose of requiring an owner of certain substandard residential lots of record to merge contiguous lots under certain circumstances; limiting the discretion to grant administrative exceptions (tolerances) to established yard requirements; to require any accessory structure having a floor area greater than 1200 square feet or a height greater than 20 feet to be approved as a special exception; to impose a maximum lot coverage limitation of 30 percent for single-family detached dwellings; to include additional definitions in the Zoning Code; and matters generally relating to merging lots and Zoning Code amendments.**

Alderman Hammond moved to adopt O-23-05 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee & Planning Commission.

**O-24-05 For the purpose of designating critical block parking on a temporary basis within Special Residential Parking District No. 1 where parking is permissible only for residents on weekends and overnight; and matters generally relating to said parking on critical blocks.**

Alderman Hammond moved to adopt O-24-05 on first reading. Seconded. CARRIED on voice vote.

Referred to the Public Safety Committee.

**O-25-05** For the purpose authorizing and empowering the City of Annapolis to issue and sell, upon its full faith and credit, Fifteen Million Dollars (\$15,000,000) maximum aggregate principal amount of its serial maturity general obligation, fully registered bonds, pursuant to the authority of Sections 31 through 37, inclusive, of Article 23A of the Annotated Code of Maryland (2001 Replacement Volume), as amended, Section 24 of Article 31 of the Annotated Code of Maryland (1997 Replacement Volume and 2001 Supplement) and Article VII, Section 11, of the Charter of the City of Annapolis, as amended, to be designated as "Public Improvements Bonds, 2005 Series", said bonds to be issued and sold for the public purpose of financing certain capital projects of the City of Annapolis; and all matters generally relating to the issuance of bonds.

Alderman Hammond moved to adopt O-25-05 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee.

### RESOLUTIONS

**R-18-05** For the purpose of approving an amended fee schedule pursuant to the adoption of the FY 2006 Annual Operating Budget for the City of Annapolis for the fiscal year beginning July 1, 2005 and ending June 30, 2006; and all matters relating to said fee schedule.

Alderman Cordle moved to adopt R-18-05 on second reading. Seconded.

The Finance Committee reported favorably on R-18-05 with amendment.

- Alderman Tolliver moved to consider R-18-05 without committee reports. Seconded. CARRIED on voice vote.
- Alderman Cohen moved to amend R-18-05 as follows:

**Amendment #1** *[This amendment substitutes the new parking meter and parking facilities rates adopted by R-10-05.]*

On page 9, strike line 22 and substitute the following:

"12.24.020 Hourly rate per meter \$1.00"

On page 33, strike line 1 and all that follows through page 34, line 19, and substitute the following:

### "PARKING GARAGE RATES AND FEES

#### HILLMAN GARAGE

##### Daily Rates:

First two hours for residents	no charge
Hourly rate	\$1.25
Maximum daily charge	\$10.00

##### Monthly Rates:

Restricted "Weekday" Pass (Monday to Friday, 7 a.m. to 7 p.m.)	\$105.00
Unrestricted monthly pass	\$125.00

##### Special Rates:

4:00 p.m. to 8:00 a.m. (flat rate)	\$2.00
Sunday morning 6 a.m. to 1 p.m.	Free/no pass

Park and Shop Coupons:

8 a.m. to 6 p.m. (4 coupons maximum)

1 coupon = 1  
hour discount

6 p.m. to 8 a.m. (2 coupons maximum)

1 coupon = 1  
hour discount

Bed and Breakfast Coupon

50% discount

GOTTS GARAGE

Daily Rates:

First two hours for residents

no charge

Hourly rate

\$1.25

Maximum daily charge

\$10.00

Monthly Rates:

Restricted "Weekday" Pass (Monday to Friday, 7 a.m. to 7 p.m.)

\$105.00

Unrestricted monthly pass

\$125.00

Special Rates:

4:00 p.m. to 8:00 a.m. (flat rate)

\$2.00

Sunday morning 6 a.m. to 1 p.m.

Free/no pass

Visitors' Center

one hour free  
w/coupon

Park and Shop Coupons:

8 a.m. to 6 p.m. (4 coupons maximum)

1 coupon = 1  
hour discount

6 p.m. to 8 a.m. (2 coupons maximum)

1 coupon = 1  
hour discount

Bed and Breakfast Coupon

50% discount

KNIGHTON GARAGE

Daily Rates:

First two hours for residents

no charge

Hourly rate

\$1.00

Maximum daily charge

\$10.00

Monthly Rates:

Restricted "Weekday" Pass (Monday to Friday, 7 a.m. to 7 p.m.)

\$80.00

Unrestricted monthly pass

\$100.00

Special Rates:

Overnight

\$10.00

Park and Shop Coupons:

8 a.m. to 6 p.m. (4 coupons maximum)

1 coupon = 1  
hour discount

6 p.m. to 8 a.m. (2 coupons maximum)

1 coupon = 1  
hour discount

Bed and Breakfast Coupon

50% discount

LARKIN

Monthly Rates:

Restricted "Weekday" Pass (Monday to Friday, 7 a.m. to 7 p.m.)

\$80.00

Restricted "Evening" Pass (5 p.m. to 7 a.m.)

\$40.00

SOUTH STREET

Daily Rate:

Hourly	\$1.25
Monthly Rate:	
Unrestricted Monthly Pass	\$100.00"

Seconded. CARRIED on voice vote.

The main motion amended CARRIED on voice vote.

**R-19-05 For the purpose of recognizing Professor Mark P. Leone, his leadership as Director of the Archaeology in Annapolis project, the contributions of the University of Maryland to the project, and the many archaeologists who have helped to make the Archaeology in Annapolis project successful.**

- Alderman Hammond moved to adopt R-19-05 on first reading. Seconded. CARRIED on voice vote.
- Alderwoman Hoyle moved to have the rules suspended to allow passage of the resolution at the meeting of its introduction. Seconded. CARRIED on voice vote.
- Alderman Hammond moved to adopt R-19-05 on second reading. Seconded. CARRIED on voice vote.

**R-20-05 For the purpose of recognizing the National Incident Management System (NIMS) and adopting NIMS principals and policies; empowering the Office of Emergency Management to coordinate a training program to ensure the implementation of NIMS into response plans, exercises, and drills; prohibiting the City of Annapolis from distributing eligible grant funds to those departments whose personnel are not trained or are not operating under the NIMS guidelines as directed by HSPD-5 and its subsequent guidelines; and all matters relating to NIMS.**

Alderman Hammond moved to adopt R-20-05 on first reading. Seconded. CARRIED on voice vote.

**R-21-05 For the purpose of waiving the fees for City services to be provided in connection with the Maryland Avenue Annual Street Festival to be held on September 25, 2005; and all matters relating to said waiver of fees.**

Alderman Hammond moved to adopt R-21-05 on first reading. Seconded. CARRIED on voice vote.

**R-22-05 For the purpose of creating The Mayor's Book Club to make strategic and visionary recommendations to the Mayor on specific improvements to city planning, infrastructure and operations based on the club's review of literature, publications, and other written texts; and matters generally related to The Mayor's Book Club.**

Alderman Carter moved to adopt R-22-05 on first reading. Seconded. CARRIED on voice vote.

The order of the agenda was amended to allow for R-23-05

**R-23-05 For the purpose of renaming the one block portion of Larkin Street between City Gate Street and West Street "Carroll Hynson, Sr. Lane"; and matters generally relating to said renaming.**

Alderman Hammond moved to adopt R-23-05 on first reading. Seconded. CARRIED on voice vote.

Alderwoman Carter moved to amend R-23-05 to add the middle initial H to Carroll Hynson, Sr., name. Seconded. CARRIED on voice vote.

The order of the agenda was resumed.

### **BUSINESS AND MISCELLANEOUS**

1. Payment of Monthly Bills

Alderman Hammond moved to pay the monthly bills. Seconded. CARRIED on voice vote.

2. Appointments

Alderman Hammond moved to approve the Mayor's appointment & reappointments of the following individuals:

6/6/05 Human Relations Commission	.....	Gerry Mangurian
6/6/05 Human Relations Commission	.....	Ida Sims
6/6/05 Human Relations Commission	.....	Michael Keller
6/6/05 Human Relations Commission	.....	Phyllis Tee Adams
6/6/05 Human Relations Commission	.....	Joanne Basinger Medelman
6/8/05 Severn River Commission	.....	Carrie W. Capuco

Seconded. CARRIED on voice vote.

Alderman Cohen moved to approve the Mayor's appointment of Arnold A. Smith to the Board of Supervisors of Elections. Seconded. CARRIED on voice vote.

- Alderman Tolliver requested that the record reflect her abstention on the Mayor's appointment of Arnold A. Smith to the Board of Supervisors of Elections.

3. Finance Committee minutes of May 19, 2005, and June 7, 2005, meetings

Alderman Cohen moved to adopt the Finance Committee minutes of May 19, 2005, and June 7, 2005. Seconded. CARRIED on voice vote.

4. Ratification of Memorandum of Understanding for Fiscal Year 2006, AFSCME Local 3406 - Trades, Maintenance & Labor Force Employees and Ratification of Memorandum of Understanding for Fiscal Year 2006, AFSCME Local 3162 Clerical & Technical Employees.

Alderman Carter moved to approve Ratification of Memorandum of Understanding for Fiscal Year 2006, AFSCME Local 3406 - Trades, Maintenance & Labor Force Employees and Ratification of Memorandum of Understanding for Fiscal Year 2006, AFSCME Local 3162 Clerical & Technical Employees. Seconded. CARRIED on voice vote.

5. Receive the 2005 Hendricks Classification and Compensation Study

Alderman Carter moved to receive the 2005 Hendricks Classification and Compensation Study. Seconded. CARRIED on voice vote.

6. Annual Towing License Renewals

Alderman Hammond moved to approve Annual Towing License Renewals. Seconded. CARRIED on voice vote.

7. Comcast update

City Attorney Spencer presented Comcast Programming Changes pursuant to the "Agreement Concerning Consent to Cable Franchise Transfer" dated 4/11/05.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 10:05 p.m.

Regina C. Watkins-Eldridge, CMC  
Deputy City Clerk